

NEW CASE

JS-CAND 44 (Rev. 10/2020)

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

CARL A. WESCOTT

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

MARICOPA COUNTY, ARIZONA

(c) Attorneys (Firm Name, Address, and Telephone Number) PRO SE PLAINTIFF
CARL WESCOTT, 8210 E. Via de la Suelta,
Scottsdale, AZ 85255, (480) 936-7677

DEFENDANTS

CHARLES DUNN, CHRISTOPHER MERCER,
MERCER DEVELOPMENT GROUP, LLCCounty of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NAPA COUNTY, CA

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

N/A

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff 3 Federal Question
(U.S. Government Not a Party)2 U.S. Government Defendant 4 Diversity
(Indicate Citizenship of Parties in Item III)III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff
and One Box for Defendant)

| | PTF | DEF | PTF | DEF |
|--|-------|-------|--|-----|
| Citizen of This State | 1 | X (1) | Incorporated or Principal Place of Business In This State | 4 4 |
| Citizen of Another State | X (2) | X (2) | Incorporated and Principal Place of Business In Another State | 5 5 |
| Citizen or Subject of a Foreign Country | 3 | 3 | Foreign Nation | 6 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|---|--|---|--|--|
| 110 Insurance | PERSONAL INJURY | 625 Drug Related Seizure of Property 21 USC § 881 | 422 Appeal 28 USC § 158 | 375 False Claims Act |
| 120 Marine | 310 Airplane | 690 Other | 423 Withdrawal 28 USC § 157 | 376 Qui Tam (31 USC § 3729(a)) |
| 130 Miller Act | 315 Airplane Product Liability | | | 400 State Reapportionment |
| 140 Negotiable Instrument | 320 Assault, Libel & Slander | | | 410 Antitrust |
| 150 Recovery of Overpayment Of Veteran's Benefits | 330 Federal Employers' Liability | 367 Health Care/ Pharmaceutical Personal Injury Product Liability | 820 Copyrights | 430 Banks and Banking |
| 151 Medicare Act | 340 Marine | 368 Asbestos Personal Injury Product Liability | 830 Patent | 450 Commerce |
| 152 Recovery of Defaulted Student Loans (Excludes Veterans) | 345 Marine Product Liability | 370 Other Fraud | 835 Patent—Abbreviated New Drug Application | 460 Deportation |
| 153 Recovery of Overpayment of Veteran's Benefits | 350 Motor Vehicle | 371 Truth in Lending | 840 Trademark | 470 Racketeer Influenced & Corrupt Organizations |
| 160 Stockholders' Suits | 355 Motor Vehicle Product Liability | 380 Other Personal Property Damage | 880 Defend Trade Secrets Act of 2016 | 480 Consumer Credit |
| X 190 Other Contracts | 360 Other Personal Injury | 385 Property Damage Product Liability | | 485 Telephone Consumer Protection Act |
| 195 Contract Product Liability | 362 Personal Injury—Medical Malpractice | | | 490 Cable/Sat TV |
| 196 Franchise | | | | 850 Securities/Commodities/ Exchange |
| REAL PROPERTY | CIVIL RIGHTS | PRISONER PETITIONS | | |
| 210 Land Condemnation | 440 Other Civil Rights | HABEAS CORPUS | 861 HIA (1985ff) | 890 Other Statutory Actions |
| 220 Foreclosure | 441 Voting | 463 Alien Detainee | 862 Black Lung (923) | 891 Agricultural Acts |
| 230 Rent Lease & Ejectment | 442 Employment | 510 Motions to Vacate Sentence | 863 DIWC/DIWV (405(g)) | 893 Environmental Matters |
| 240 Torts to Land | 443 Housing/ Accommodations | 530 General | 864 SSID Title XVI | 895 Freedom of Information Act |
| 245 Torts Product Liability | 445 Amer. w/Disabilities— Employment | 535 Death Penalty | 865 RSI (405(g)) | 896 Arbitration |
| 290 All Other Real Property | 446 Amer. w/Disabilities—Other | OTHER | | 899 Administrative Procedure Act/Review or Appeal of Agency Decision |
| | 448 Education | 540 Mandamus & Other | | 950 Constitutionality of State Statutes |
| | | 550 Civil Rights | | |
| | | 555 Prison Condition | | |
| | | 560 Civil Detainee— Conditions of Confinement | | |

V. ORIGIN (Place an "X" in One Box Only)

| | | | | | | |
|---|-------------------------------|------------------------------------|-----------------------------|--|--|---|
| <input checked="" type="checkbox"/> Original Proceeding | 2 Removed from State Court | 3 Remanded from Appellate Court | 4 Reinstated or Reopened | 5 Transferred from Another District (Specify) | 6 Multidistrict Litigation—Transfer | 8 Multidistrict Litigation—Direct File |
|---|-------------------------------|------------------------------------|-----------------------------|--|--|---|

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):

28 USC 1332

Brief description of cause:

BREAKDOWN OF CONTRACT AND CAUSATION

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, Fed. R. Civ. P.CHECK YES only if demanded in complaint:
JURY DEMAND: Yes NoVIII. RELATED CASE(S),
IF ANY (See Instructions):

JUDGE

DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)
(Place an "X" in One Box Only)

SAN FRANCISCO/OAKLAND

SAN JOSE

X EUREKA-MCKINLEYVILLE

DATE

8/12/2022

SIGNATURE OF ATTORNEY OF RECORD

CARL A. WESCOTT

NEW CASE

JS 44 (Rev. 04/21)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Carl A. Wescott

(b) County of Residence of First Listed Plaintiff Maricopa County, AZ
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorney's (Firm Name, Address, and Telephone Number) 11 986 937-2688
pro se plaintiff J. Wescott A & JT 688
CARL WESCOFF, 8218 E. Via de la Senda

DEFENDANTS

Charles Dunn, Christopher Mercer, Meridian Development Group, LLC

County of Residence of First Listed Defendant Napa County, CA

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

N/A

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

| | |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

| Citizen of This State | PTF | DEF | PTF | DEF |
|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 3 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|--|--|---|---|---|
| <input type="checkbox"/> 110 Insurance | <input type="checkbox"/> 310 Airplane | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | <input type="checkbox"/> 422 Appeal 28 USC 158 | <input type="checkbox"/> 375 False Claims Act |
| <input type="checkbox"/> 120 Marine | <input type="checkbox"/> 315 Airplane Product Liability | <input type="checkbox"/> 365 Personal Injury - Product Liability | <input type="checkbox"/> 423 Withdrawal 28 USC 157 | <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) |
| <input type="checkbox"/> 130 Miller Act | <input type="checkbox"/> 320 Assault, Libel & Slander | <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability | <input type="checkbox"/> 400 State Reapportionment | <input type="checkbox"/> 410 Antitrust |
| <input type="checkbox"/> 140 Negotiable Instrument | <input type="checkbox"/> 330 Federal Employers' Liability | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | <input type="checkbox"/> 430 Banks and Banking | <input type="checkbox"/> 450 Commerce |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | <input type="checkbox"/> 340 Marine | <input type="checkbox"/> 370 Other Fraud | <input type="checkbox"/> 460 Deportation | <input type="checkbox"/> 460 Depatration |
| <input type="checkbox"/> 151 Medicare Act | <input type="checkbox"/> 345 Marine Product Liability | <input type="checkbox"/> 371 Truth in Lending | <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations | <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) | <input type="checkbox"/> 350 Motor Vehicle | <input type="checkbox"/> 380 Other Personal Property Damage | <input type="checkbox"/> 485 Telephone Consumer Protection Act | <input type="checkbox"/> 490 Cable/Sat TV |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 800 Defend Trade Secrets Act of 2016 | <input type="checkbox"/> 850 Securities/Commodities/ Exchange |
| <input type="checkbox"/> 160 Stockholders' Suits | <input type="checkbox"/> 360 Other Personal Injury | <input type="checkbox"/> 710 Fair Labor Standards Act | <input type="checkbox"/> 861 HIA (1958) | <input type="checkbox"/> 890 Other Statutory Actions |
| <input checked="" type="checkbox"/> 190 Other Contract | <input type="checkbox"/> 362 Personal Injury - Medical Malpractice | <input type="checkbox"/> 720 Labor/Management Relations | <input type="checkbox"/> 862 Black Lung (923) | <input type="checkbox"/> 891 Agricultural Acts |
| <input type="checkbox"/> 195 Contract Product Liability | <input type="checkbox"/> 370 Civil Rights | <input type="checkbox"/> 740 Railway Labor Act | <input type="checkbox"/> 863 DIFWC/DIWW (405(g)) | <input type="checkbox"/> 893 Environmental Matters |
| <input type="checkbox"/> 196 Franchise | <input type="checkbox"/> 440 Other Civil Rights | <input type="checkbox"/> 751 Family and Medical Leave Act | <input type="checkbox"/> 864 SSID Title XVI | <input type="checkbox"/> 895 Freedom of Information Act |
| | <input type="checkbox"/> 441 Voting | <input type="checkbox"/> 790 Other Labor Litigation | <input type="checkbox"/> 865 RSI (405(g)) | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) |
| | <input type="checkbox"/> 442 Employment | <input type="checkbox"/> 791 Employee Retirement Income Security Act | | <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 |
| | <input type="checkbox"/> 443 Housing/ Accommodations | <input type="checkbox"/> 840 Other Civil Rights | | <input type="checkbox"/> 896 Arbitration |
| | <input type="checkbox"/> 445 Amer. w/Disabilities - Employment | <input type="checkbox"/> 845 Mandamus & Other | | <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision |
| | <input type="checkbox"/> 446 Amer. w/Disabilities - Other | <input type="checkbox"/> 850 Civil Rights | | <input type="checkbox"/> 950 Constitutionality of State Statutes |
| | <input type="checkbox"/> 448 Education | <input type="checkbox"/> 855 Prison Condition | | |
| | | <input type="checkbox"/> 860 Civil Detainee - Conditions of Confinement | | |
| | | | <input type="checkbox"/> 462 Naturalization Application | |
| | | | <input type="checkbox"/> 465 Other Immigration Actions | |

V. ORIGIN (Place an "X" in One Box Only)

| | | | | | | |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) _____ | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 1332 (diversity)

VI. CAUSE OF ACTION

Brief description of cause:
Breach of contracts and repudiation

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ _____

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See Instructions):

JUDGE: _____

DOCKET NUMBER: _____

DATE

august 2nd, 2022

SIGNATURE OF ATTORNEY OF RECORD

Carl A. Wescott

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE

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Carl A. Wescott

(b) County of Residence of First Listed Plaintiff Maricopa County, AZ
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorneys (Firm Name, Address, and Telephone Number) +1 928 937 2688
pro se plaintiff Carl A. Wescott
Carl Wescott, 8218 E. via de la escuela

DEFENDANTS

Charles Dunn, Christopher Mercer, Meridian Development Group, LLC

County of Residence of First Listed Defendant Napa County, CA
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

N/A

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|--|---|----------------------------|----------------------------|
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| <input type="checkbox"/> 2 Citizen of Another State | <input checked="" type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| <input type="checkbox"/> 3 Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

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| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
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| REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education | PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement | <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act | SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) |
| | | | IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions | FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 |

V. ORIGIN (Place an "X" in One Box Only)

| | | | | | | |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) _____ | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

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DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER _____

DATE

august 2nd, 2022

FOR OFFICE USE ONLY

SIGNATURE OF ATTORNEY OF RECORD

Carl Wescott

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE